

REMARKS

Claim 1 is pending in the application. Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Boatwright. Claim 1 was also rejected under the judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,289,002. A terminal disclaimer is being filed herewith. Claim 1 has been amended. Reconsideration and reexamination of the application in view of the amendment, terminal disclaimer, and following remarks is respectfully requested.

The present invention is directed to the automatic isolation of a node port in a loop network when data transmissions between the node port and a hub port have failed. In one particular instance illustrated in FIG. 2B, the present invention automatically isolates a node port when a channel carrying data from the hub port to the node port has failed. When the failure occurs and the node port stops receiving data, it sends out loop failure initialization data to the hub port. In this instance, a failure has occurred even though data (in the form of loop failure initialization data) is still being received at the hub port. (See page 4 lines 14-22). Unlike conventional systems, the present invention includes a loop initialization data detect circuit that detects when loop failure initialization is being received at the hub port, and in particular when a loop failure initialization sequence is received. When a loop failure initialization sequence is received, the failed node port is bypassed.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Boatwright. With the amendment to claim 1, it is respectfully submitted that this rejection has been overcome.

Claim 1 has been amended to recite that the hub ports contain an error detecting portion that detects loop failure initialization data indicative of an error from a corresponding node port, and controls a switch to bypass the node port when it is sending loop failure initialization data indicative of errors.

Boatwright fails to disclose, teach or suggest an error detecting portion that detects loop failure initialization data indicative of an error, as recited in amended claim 1. Boatwright only discloses an activity detector that detects the absence of activity and bypasses nodes when no

activity is detected. The activity detector of Boatwright therefore teaches away from an error detecting portion that detects loop failure initialization data. Moreover, detecting an absence of activity is an entirely unacceptable means of error detection for the type of failure addressed by the present invention. As described in the text accompanying FIG. 2B of the present invention, failures may occur even though data (in the form of loop failure initialization data) is still being received at the hub port. Thus, the activity detector of Boatwright would be completely unable to detect the type of failure illustrated in FIG. 2. In contrast, the present invention detects loop failure initialization data being received at the hub port even after the failure has occurred, and bypasses the failed node port as a result.

Because Boatwright fails to disclose, teach or suggest an error detecting portion that detects loop failure initialization data, and in fact teaches away from such an error detecting portion, it is respectfully submitted that the rejection of claim 1 under 35 U.S.C. §103(a) as being unpatentable over Boatwright has been overcome.

Claim 1 was also rejected under the judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,289,002. A terminal disclaimer is being filed concurrently herewith.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

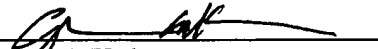
If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5752 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of

such petitions and/or other fees due in connection with the filing of this document to **Deposit**
Account No. 03-1952 referencing Docket No. 491442007511.

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Respectfully submitted,

By 
Glenn M. Kubota
Registration No.: 44,197
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5200